

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Everest Midwest, LLC	)	
Application Under Section 214	)	File No. TC_____
Of the Communication Act of 1934,	)	
As Amended	)	
	)	
For the Provision of Resold	)	
International Switched and	)	
Private Line Services	)	
	)	
Between the U.S. and Various	)	
International Points	)	

To : The International Bureau

**APPLICATION**

Everest Midwest LLC ("Everest Midwest" or "Applicant"), by its attorneys and pursuant to Section 214 of the Communications Act of 1934, as amended ("the Act"), 47 U.S.C. 214, hereby requests global authority to operate as a resale carrier pursuant to the terms and conditions of Section 63.18 (e)(2) of the Commission's Rules to all foreign points as authorized by the Commission. 47 C.F.R. 63.18 (e)(2). Everest Midwest has no affiliation with any foreign carrier in any of the destination countries for which authority is requested nor is Everest Midwest affiliated with any dominant U.S. carrier whose services Everest Midwest may resell. Thus, pursuant to Section 63.10(a)(1) of the Commission's Rules, 47 C.F.R. 63.10 (a)(1), Everest Midwest should be classified as a non-dominant carrier in its provision of international service on all routes. Furthermore, as explained herein, this Application is entitled to streamlined processing under Section 63.12 of the Commission's Rules. 47 C.F.R. 63.12. According to the FCC's fee schedule, Fee Code CUT, a credit card payment in the amount of \$895 is being submitted herewith.

In support of its request for authority, Everest Midwest submits the following information pursuant to Section 63.18 of the Commission's Rules, 47 C.F.R. 63.18.

- (a) The name, address and telephone number of the Applicant is:

Everest Midwest LLC  
9647 Lackman Road  
Lenexa, KS 66219-1250  
(913) 322-9624

(b) Everest Midwest is a limited liability company organized under the laws of the state of Delaware.

(c) Correspondence concerning this Application should be addressed to:

C. Douglas Jarrett  
Keller and Heckman LLP  
1001 "G" Street, N.W.  
Suite 1000  
Washington, D.C. 20001  
(202) 555-1234

with a copy to:

Ms. Rachel Reiber  
Vice President - Regulatory and Government Affairs  
Everest Midwest LLC  
9647 Lackman Road  
Lenexa, KS 66219-1250  
(913) 322-9624

(d) Everest Midwest has not previously received Section 214 authority from the Commission, except for authority to provide interstate services pursuant to Section 63.01 of the Commission's Rules, 47 C.F.R. 63.01

(e) Everest Midwest is applying for authority to operate as a resale carrier pursuant to the terms and conditions of Section 63.18 (e)(2) of the Commission's Rules. 47 C.F.R. 63.18 (e)(2). Everest Midwest requests authority to serve all countries permitted under a grant of global authority. As evidenced by the certification provided in Attachment A, Everest Midwest will comply with the terms and conditions contained in Section 63.21 and 63.23 of the Commission's Rules. 47 C.F.R. 63.21 and 23.

(f) At this time, Applicant does not seek authority to provide service not referenced under paragraph (e) of Section 63.18 of the Commission's Rules. 47 C.F.R. 63.18(e).

(g) Everest Midwest will use previously authorized facilities to provide the services requested by the Application. Consequently, Everest Midwest is categorically excluded from environmental assessment pursuant to Section 1.1306 of the Commission's Rules. 47 C.F.R. 1.1306.

(h) Everest Midwest LLC is a wholly-owned, indirect subsidiary of Everest Global Technologies Group, LLC, a Delaware limited liability company, ("EGTG"). Just over 97% of EGTG's membership interests are held by UCS Holdings, LLC, a Delaware limited liability company ("Holdings"). In turn, Aquila, Inc., a Delaware Corporation, owns 84.00% of Holdings and UtiliCorp Communications Services, Inc., a Delaware Corporation, owns 16.00% of

Holdings. Aquila, Inc. owns 100% of UtiliCorp Communications Services, Inc. Aquila, Inc. is a publicly traded corporation and no person possesses an ownership interest equal to or greater than 10%.

(i) As evidenced by the certification attached hereto as Attachment A, Everest Midwest is not affiliated with a foreign carrier.

(j) As evidenced by the certification attached hereto as Attachment A, Everest Midwest does not seek to provide international telecommunications service to any destination where: (1) Everest Midwest is a foreign carrier in that country; (2) Everest Midwest controls a foreign carrier in that country; (3) any entity that owns more than a 25% interest in Everest Midwest, or controls Everest Midwest, controls a foreign carrier in that country; or (4) two or more parties own, in the aggregate, more than 25% of Everest Midwest and are parties to, or the beneficiaries of, a contractual relationship that affects the provision or marketing of international basic telecommunications services in the United States.

(k) Everest Midwest is not affiliated or otherwise related to any foreign carrier on any of the routes which Everest Midwest proposed to provide service in this Application.

(l) Everest Midwest is not a foreign carrier and is not affiliated with a foreign carrier on any of the routes it proposes to resell international telecommunications service.

(m) Everest Midwest is not affiliated with any foreign carrier on any of the routes it proposes to provide services.

(n) As evidenced by the certification provided in Attachment A, Everest Midwest has not agreed to accept special concessions directly or indirectly from any foreign carrier with respect to any U.S. international route the foreign carrier possesses sufficient market power on the foreign end of the route to affect competition adversely in the U.S. market and will not enter into such agreements in the future.

(o) As evidenced by the certification provided in Attachment A, no party to this application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.

(p) Everest Midwest respectfully requests streamlined processing of this Application pursuant to Section 63.12 of the Commission's Rules. 47 C.F.R. 63.12. This Application qualifies for streamlined processing for the following reasons: (1) Everest Midwest is not affiliated with a foreign carrier on any route for which authority is sought; (2) Everest Midwest is not affiliated with any dominant U.S. carrier whose international switched or private lines services it seeks to resell; and (3) Everest Midwest is not requesting authority to provide switched service over private lines to countries not previously authorized for service by the Commission.

**Wherefore the Premises Considered,** Everest Midwest LLC respectfully requests that the Commission grant it authority to provide international telecommunications services on a resale basis pursuant to Section 214 of the Communications Act of 1934, as amended.

Respectfully submitted,

EVEREST MIDWEST, LLC

By:  \_\_\_\_\_

Everest Midwest LLC  
9647 Lackman Road  
Lenexa, KS 66219-1250  
(913) 322-9624

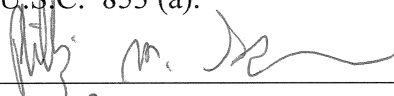
Date: 11/4/06

## **Attachment A**

## CERTIFICATE

The undersigned hereby certifies, on behalf of Everest Midwest LLC. ("Everest Midwest") with respect to the foregoing application for authority to provide international services, that:

1. Everest Midwest is not affiliated with any foreign carrier in any of the countries to which Everest Midwest proposes to provide service in the foregoing application.
2. Everest Midwest will comply with the terms and conditions contained in Section 63.21 and 63.23 of the Commission's Rules. 47 C.F.R. 63.21 and 63.23.
3. Everest Midwest does not seek to provide international telecommunications service to any destination where: (1) Everest Midwest is a foreign carrier in that country; (2) Everest Midwest controls a foreign carrier in that country; (3) any entity that owns more than a 25% interest in Everest Midwest, or controls Everest Midwest, controls a foreign carrier in that country; or (4) two or more parties own, in the aggregate, more than 25% of Everest Midwest and are parties to, or the beneficiaries of, a contractual relationship that affects that provision or marketing of international basic telecommunications services in the United States.
4. Everest Midwest has not agreed to accept special concessions directly or indirectly from any foreign carrier with respect to any U.S. international route where the foreign carrier possesses sufficient market power on the foreign end of the route to affect competition adversely in the U.S. market and will not enter into such agreements in the future.
5. No party to this application is subject to a denial for Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. 853 (a).

By: 

Title: President

Date: 1/04/06